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*Attorneys for Plaintiff Chem Rx Pharmacy Services, LLC f/k/a Chem Rx Acquisition Sub, LLC, As Assignee of ChemRx New Jersey, LLC*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
NEWARK DIVISION

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Chem Rx Pharmacy Services, LLC f/k/a  
Chem Rx Acquisition Sub, LLC, As  
Assignee of ChemRx New Jersey, LLC,

Plaintiff

v.

North Bergen Health Care, LLC d/b/a  
Hudson View Care and Rehabilitation  
Center, et al.

Defendants.

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: DOCKET NO. 2:16-cv-08442-MCA-MAH

: CIVIL ACTION

**STATUS REPORT**

Pursuant to the Court's Order dated April 11, 2018 (DN 75), the parties respectfully submit this status report. The parties settled this case through a

Settlement Agreement that all parties have executed. The Settlement Agreement calls for Defendants to make the first payment to Plaintiff by April 17, 2018, after which the parties were to file a Stipulation of Dismissal Without Prejudice that requests that the Court retain jurisdiction over the matter to enforce the terms of the Settlement Agreement. Defendants paid only a portion of the first payment on the due date, but state that the remainder will be paid by tomorrow, April 19, 2018. Assuming payment of the remainder is made by tomorrow, Plaintiff is in agreement to tender the Stipulation of Dismissal Without Prejudice to the Court thereafter, without otherwise waiving or amending any of its rights or remedies, or any other terms of the Settlement Agreement. Defendants object to Plaintiff not otherwise waiving or amending any of its rights or remedies, or any other terms of the Settlement Agreement. Notwithstanding Defendants' objection, the parties request that the Court enter an Order requiring that the parties file a stipulation of dismissal or further status report by Friday, April 20, 2018.

Respectfully submitted,

/s/ Daniel C. Fleming  
Daniel C. Fleming  
Counsel for Plaintiff

/s/ Benjamin Karfunkel (with permission)  
Benjamin Karfunkel  
Counsel for Defendant Joseph Schwartz